

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA

**NOTE:**— There is one Extraordinary issue to the Official Gazette, Series I No. 38 dated 16-12-93 as follows:

Extraordinary dated 21-12-93 from pages 649 to 650 regarding Notification from Home (General) Department.

### GOVERNMENT OF GOA

Department of Labour

#### Notification

21/12/92-LAB

In exercise of the powers conferred by sub-section (3) of section 2 of the Workmen's Compensation Act, 1923 (Central Act 8 of 1923) (hereinafter called the 'said Act'), the Government of Goa hereby gives three months' notice of its intention to add to Schedule II appended to the said Act, the classes of persons as specified below, namely:—

- (1) Persons employed in any newspaper establishment as defined in the Working Journalists and Other Newspaper Employees (Conditions of Service) And Miscellaneous Provisions Act, 1955 (Central Act 45 of 1955) and engaged in out-door duties;
- (2) Persons employed on surveys and investigation, including drilling operations, hydrological observations and flood forecasting activities, ground water surveys and exploration;
- (3) Persons employed in cook houses, messes, bakeries or catering establishments in which food for over 50 persons is prepared or more than 200 loaves of bread per day are prepared or training to at least 10 cooks/caterers is imparted at any time;
- (4) Persons employed in any employment in which workmen are exposed to low temperature conditions while working in high altitude;
- (5) Persons employed in any employment which requires handling of snakes for the purpose of extraction of venom or for the purpose of looking after snakes or handling any other poisonous insect or animal;
- (6) Persons employed in training, keeping or working with animals like horses, mules, bulls etc.;
- (7) Persons employed in cleaning of sewers or septic tanks within the limits of a local authority;

- (8) Persons employed in horticultural operations.

All suggestions/objections in this regard may be forwarded to the Under Secretary (Labour), Labour Department, Secretariat Annexe, EDC House, Panaji-Goa, before the expiry of three months from the date of publication of this Notification in the Official Gazette.

By order and in the name of the Governor of Goa.

A. A. Manerkar, Under Secretary (Labour).

Panaji, 18th November, 1993.

#### LAW (LEGAL & LEGISLATIVE AFFAIRS) DEPARTMENT

#### Notification

10-2-92/LA (Part)

The Cine-Workers Welfare Cess (Amendment) Act, 1993 (Central Act 37 of 1993) which has been passed by Parliament and assented to by the President of India on 7-5-1993 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 7-5-1993, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 1st December, 1993.

#### THE CINE-WORKERS WELFARE CESS (AMENDMENT) ACT, 1993

AN

ACT

to amend the Cine-workers Welfare Cess Act, 1981.

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Cine-workers Welfare Cess (Amendment) Act, 1993.

2. *Amendment of section 3 of Act 30 of 1981.*— In section 3 of the Cine-workers Welfare Cess Act, 1981, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) There shall be levied and collected as a cess, for the purposes of the Cine-workers Welfare Fund Act, 1981, 33 of 1981, a duty of excise at such rate, not being less than one thousand rupees and not exceeding twenty thousand rupees on every feature film, as the Central Government may, by notification in the Official Gazette, specify from time to time.”

## LAW (LEGAL &amp; LEGISLATIVE AFFAIRS) DEPARTMENT

## Notification

10-2-92/LA (Part)

The Merchant Shipping (Amendment) Ordinance, 1993 (No. 34 of 1993) which has been promulgated by the President of India and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 27-10-1993, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).  
Panaji, 2nd December, 1993.

MINISTRY OF LAW, JUSTICE AND  
COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 27th October, 1993/  
Kartika 5, 1915 (Saka)

THE MERCHANT SHIPPING (AMENDMENT)  
ORDINANCE, 1993

No. 34 of 1993

Promulgated by the President in the Forty-fourth  
Year of the Republic of India.

An Ordinance further to amend the Merchant Shipping  
Act, 1958.

Whereas Parliament is not in session and the  
President is satisfied that circumstances exist which  
render it necessary for him to take immediate action:

Now, therefore, in exercise of the powers conferred  
by clause (1) of article 123 of the Constitution, the  
President is pleased to promulgate the following  
Ordinance:—

1. *Short title and commencement.*—(1) This  
Ordinance may be called the Merchant Shipping  
(Amendment) Ordinance, 1993.

(2) It shall come into force at once.

2. *Amendment of section 21.*—In section  
21 of the Merchant Shipping Act, 1958 (hereinafter referred to as the  
principal Act), for clauses (b) and (c),  
the following clauses shall be substituted,  
namely:—

“(b) a company or a body established by or  
under any Central or State Act which has its  
principal place of business in India; or

(c) a co-operative society which is  
registered or deemed to be registered  
under the Co-operative Societies Act,  
1912, or any other law relating to  
co-operative societies for the time  
being in force in any State.”

3. *Amendment of section 42.*—In section 42 of  
the principal Act,—

(i) in sub-section (1), after the words “interest  
therein”, the words “at any time during which

the security of India or any part of the territory  
thereof is threatened by war or external aggression”  
shall be inserted;

(ii) after sub-section (2), the following sub-  
section shall be inserted, namely:—

“(2A) No transfer or acquisition of any  
Indian ship shall be valid unless—

(a) all wages and other amounts due to  
seamen in connection with their employment  
on that ship have been paid in accordance  
with the provisions of this Act;

(b) the owner of the ship has given notice  
of such transfer or acquisition of the ship  
to the Director General.”

4. *Amendment of section 45.*—In section 45 of  
the principal Act, in sub-section (2), for the words  
“company or any co-operative society”, the words  
“company or body or co-operative society” shall be  
substituted.

5. *Substitution of new section for section 51.*—  
For section 51 of the principal Act, the following  
section shall be substituted, namely:—

“51. *Rights of mortgagee.*—(1) Where there  
is only one registered mortgagee of a ship or  
share, he shall be entitled to recover the amount  
due under the mortgage by selling the mortgaged  
ship or share without approaching the High  
Court:

Provided that nothing contained in this sub-  
section shall prevent the mortgagee from reco-  
vering the amount so due in the High Court as  
provided in sub-section (2).

(2) Where there are two or more registered  
mortgagees of a ship or share they shall be  
entitled to recover the amount due under the  
mortgage in the High Court, and when passing  
a decree or thereafter the High Court may direct  
that the mortgaged ship or share be sold in exe-  
cution of the decree.

(3) Every registered mortgagee of a ship or  
share who intends to recover the amount due  
under the mortgage by selling the mortgaged  
ship or share under sub-section (1) shall give an  
advance notice of fifteen days relating to such  
sale to the registrar of the ship's port of registry.

(4) The notice under sub-section (3) shall be  
accompanied with the proof of payment of the  
wages and other amounts under clause (a) of  
sub-section (2A) of section 42.”

6. Section 412 of the principal Act shall be  
omitted.

7. In section 414 of the principal Act, in sub-  
section (2), clauses (b) and (c) shall be omitted.

SHANKER DAYAL SHARMA,  
President.

K. L. MOHANPURIA,  
Secy. to the Govt. of India.